

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19223 of 2017

Arising Out of PS.Case No. -8 Year- 2005 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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LUTHTHI RAI @ LATHU RAI, son of Lala Rai, resident of Village-
Jahangirpur, P.S.- Raghobpur, (Rustampur O.P.), District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Raghobpur
(Rustampur O.P.) P.S. Case No. 08 of 2005 registered for the
offences punishable under Sections 147, 148, 149, 307, 302 of the
Indian Penal Code and Section 27 of the Arms Act.

Allegedly, on the order of Raj Kumar Rai, Sohan Gope
fired from his rifle causing death of Arun Bhagat, thereupon co-
accused Ramnath Rai opened fire with rifle causing injury to
Rampravesh Bhagat. The petitioner and other co-accused also
allegedly, fired, however, no injury was caused to anyone.

Submission is of false implication and that the allegation
is general and omnibus, the Police had not sent up the petitioner
for trial, however, on protest petition cognizance has been taken in



the case and the petitioner was not knowing about the same, the petitioner has got no criminal antecedent and he is suffering in custody since 11.12.2016, other co-accused Ramprit Rai with identical allegation has been allowed bail vide Cr. Misc. No. 9814 of 2017.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Raghapur (Rustampur O.P.) P.S. Case No. 08 of 2005, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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